

REMARKS/ARGUMENTS

This amendment responds to the office action dated February 7, 2006.

The Examiner rejected the claims under 35 U.S.C. Section 112.

The claims have been amended to claim any method of compressing a digital image having a structure that includes three ordered symbols that are acted upon.

The applicant respectfully suggests that FIG 2. illustrates that the MSB 32 may be grouped in a single bit plane 36. FIG. 2 further illustrates a pair of bits that then occupy a bit plane 38, namely, effectively a single bit plane. A compression technique may be applied to the most significant bit plane 36, and a different compression technique may be appropriate for bit plane 38. See, pages 7-8 of the applicant's specification.

The Examiner rejected claims 25-29 under 25 U.S.C. § 102(b) as being anticipated by Mark et al., U.S. Patent Number 5,303,313.

Mark et al. disclose a method for compressing a digital image having a plurality of pixels. The pixels may be non-binary images which are separated into bit plates and compressing some or all of these bit planes using the techniques described by Mark et al. Insofar as there is a correlation between certain of the bit planes and dominant symbol-based patterns, this can compress the images better than non-symbol matching methods. See, Mark et al., column 17, lines 4-10.

Claim 25 had been amended to patentably distinguish over Mark et al. by claiming the arrangement of the image in bit planes, and then compression a first bit plane, compression of a second and third bit plane together as a group, separate from the first bit plane.

Mark et al. fails to suggest nor disclose compressing an image using a combination of a first bit plane, and second/third bit planes as a group.

Claim 25 has been amended to further patentably distinguish over Mark et al. by claiming that the first bit plane is the most significant bit and that the compressed first bit plane has a lower degree of loss than the compressed second and third bit planes.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 25-29.

Appl. No. 09/885,320
Amdt. dated May 8, 2006
Reply to Office Action of Feb. 7, 2006

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.


This Amendment is being submitted with a Request for Continued Examination, together with the requisite fee. The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 03-1550.

Respectfully submitted,

CHERNOFF, VILHAUER, McCLUNG & STENZEL

Dated: May 8, 2006

By

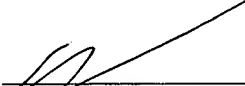


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 8, 2006.

Dated: May 8, 2006



Kevin L. Russell